



THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT EXAMINING OPERATION

1633 ✓
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In re Application of: § Atty. Docket No.: INGA,004
Charles A. Conrad §
Serial No.: 09/169,793 § Examiner: J. Martinell
Filed: October 9, 1998 §
For: PRODUCTION OF § Group Art Unit: 1633
ssDNA *IN VIVO* §

COMMISSIONER OF PATENTS
P. O. BOX 1450
ALEXANDRIA, VA 22313-1450

CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date indicated below with sufficient postage as first class mail in an envelope addressed to the Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

November 14, 2005

Mark R. Wisner, Registration No. 50,603

Date

**RENEWED REQUEST FOR REINSTATEMENT/
RESPONSE TO PETITION DECISION**

Dear Sir:

Applicant requested reinstatement of the captioned application on December 31, 2004. By decision dated August 12, 2005, Applicant's request for reinstatement was dismissed pending the filing of a renewed petition accompanied by a terminal disclaimer and fee. Applicant hereby renews that request for reinstatement and responds to that August 12, 2005 decision as follows. A request for a one month extension of the time to respond to the August 12, 2005 decision, and the applicable fee, is also enclosed.

Applicant again requests reinstatement of the captioned application, and incorporates all the statements and representations made in Applicant's December 31, 2004 Request for Reinstatement, as well as Applicant's July 8, 2005 Communication re Request for Reinstatement, in this Request/Response as if fully set forth herein. Briefly, and as set out in Applicant's December 31, 2004 Request for Reinstatement and Applicant's July 8, 2005 Communication re Request for Reinstatement, Applicant's Attorney did not receive the date-stamped postcard sent with the Response to Official Action of March 8, 2002 and the Request for Continued Examination back from the Office to enclose with the Request for Reinstatement to show that the Office acknowledged receipt of those documents. However, as set out in 37 C.F.R. 1.8(a),

correspondence required to be filed within a set period of time will be considered as timely filed if the procedure described in §1.8 is followed; actual receipt of the correspondence by the Office is not required by the Rule. Specifically, correspondence sent to the Office is considered timely "if the party who forwarded such correspondence (1) informs the Office of the previous mailing . . . promptly after becoming aware that the Office has no evidence of receipt of the correspondence; (2) supplies an additional copy of the previously mailed . . . correspondence and certificate; and (3) includes a statement which attests on a personal knowledge basis . . . to the previous timely mailing . . . 37 C.F.R. 1.8(b).

This Communication is therefore being filed by the party who forwarded the previous correspondence to inform the Office that correspondence was not received by the Office promptly after the undersigned Attorney became aware that the correspondence was not received. Copies of the papers that were not received by the Office were enclosed with Applicant's December 31, 2004 Request for Reinstatement and with Applicant's July 8, 2005 Communication re Request for Reinstatement, and are hereby incorporated into this Request/Response, and the undersigned Attorney again states that he personally deposited the envelope containing the Request for Reinstatement (into which he had placed the correspondence) in the mail on the first floor of his office building on December 31, 2004 in time for pick-up on that day.

With this filing, Applicant again requests withdrawal of the Notice of Abandonment, consideration of the remarks set out in Applicant's Response to Official Action of March 8, 2002, reconsideration and withdrawal of the rejections, and passage of the application to issuance. Although no fee is assessed for filing a renewed request for reinstatement or responding to the August 12, 2005 decision, in the unforeseen event a fee is assessed for filing this Renewed Request for Reinstatement, the Commissioner is authorized to charge the Deposit Account of Wisner & Associates, Account No. 50-0965 (INGA,004). There is a fee for the extension of time filed with this Request/Response and for filing the terminal disclaimer required by the Decision, and Applicant has enclosed a Form PTO-2038 authorizing a charge to the credit card listed thereon in the amount of the required fee (37 C.F.R. 1.20(d)), as well as the request for a one month extension of the time to respond to the Petition Decision.

Respectfully submitted,

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Date: November 14, 2005